

## AGENDA

**REGULAR MEETING  
BOARD OF COMMISSIONERS  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
(502) 875-8500**

**JUNE 16, 2003  
5:00 P.M. (EST)**

- 1. INVOCATION** Sister Miriam Pecconi, Good Shepherd Church  
**ROLL CALL**  
**MINUTES** May 12, 2003 Special Meeting; May 19, 2003 Regular Meeting;  
June 2, 2003 Work Session & Special Meeting  
**MAYOR'S REPORT**

### **2. CEREMONIAL ITEMS**

### **3. ORDINANCES**

- 3.1 An Ordinance Appropriating the Revenue to be Received by the City of Frankfort for Fiscal Year 2003-2004.

Purpose: The purpose of this ordinance is to appropriate revenue to be received and expended by the City of Frankfort for Fiscal Year 2003-2004 in accordance with the budget submitted and approved by its adoption.

Background: This ordinance had its first reading on 6/2/03.

Attachments: Ordinance.

#### Contact Person

Name:	Gary Muller	James C. Rogers
Title:	Acting City Manager	Director
Department:	City Manager	Finance
Phone:	(502) 875-8513	(502) 875-8505
E-mail:	GMuller@fewpb.com	Jrogers@fewpb.com

- 3.2 An Ordinance Amending Ordinance No. 18, 2002 Series, Ordinance No. 4, 2003 Series, and Frankfort Municipal Code Sections 2.93.030 Pay Plan, 2.93.050 Bi-Weekly Rates, 2.93.055 Positions for Sewer Division (Salary Ordinance).

Purpose: The purpose of this ordinance is to amend existing ordinances relating to salary and wages for officers and employees of the City of Frankfort and enacts a three percent (3%) salary increment for full-time regular personnel for fiscal year 2003-2004.

Background: This ordinance had its first reading on 6/2/03.

Attachments: Ordinance.

#### Contact Person

Name:	Gary Muller
Title:	Acting City Manager
Department:	City Manager
Phone:	(502) 875-8513

E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

### 3.3 An Ordinance Creating the Position of Police Information Technology Officer.

Purpose: The purpose of this ordinance is to create the position of Police Information Technology Officer.

Background: Over the past three years much of the Operations Commander's time has been devoted to procurement of computer equipment, evaluation and recommendation of systems and software, and providing oversight of the implementation process. These activities were done in addition to his assignment as Operations Division Commander. The Department cannot continue to give fragmented, part-time attention to its records management system and its record keeping and record analysis functions as well as to its reporting responsibilities to oversight criminal justice organizations such as the Kentucky Justice Cabinet, Kentucky State Police, and Federal Bureau of Investigation.

If approved, this position will be responsible for supervision of Records Section employees, administration of the Department's records management system (RMS) and training of officers and employees in use of RMS, perform problem-solving with regard to hardware and software performance of the system; and for research, procurement recommendations, and policy development for emerging technology. The position will serve as liaison with the City's and the Plant Board's computer specialists, as well as serving as a resource person for E-911's computer aided dispatch system (CAD) which is integrated with the Police Department's records management system. This ordinance had its first reading on 5/19/03.

Attachments: Ordinance.

#### Contact Person

Name: Ted W. Evans  
Title: Chief  
Department: Police  
Phone: (502) 875-8523  
E-mail: [Tevans@fewpb.com](mailto:Tevans@fewpb.com)

### 3.4 An Ordinance Creating the Position of Emergency Preparedness Coordinator.

Purpose: The purpose of this item is to consider an ordinance establishing the position of Emergency Preparedness Coordinator in the Fire Department.

Background: The duties and necessary tasks regarding overall emergency preparedness have previously been performed by the Fire Chief who also serves as Disaster and Emergency Services Director. With the vast increase in federal and state preparedness requirements, along with a multitude of available grants, the tasks and time needed to devote to preparedness issues has reached the point of requiring a full-time focus. Creating the position of Emergency Preparedness Coordinator will allow the Fire Chief to assign the tasks of securing Fire and EMS grants, State Hazmat team grants, homeland security and WMD grants to name a few. Additional critical duties will include assistance in emergency management functions and requirements and coordination of preparedness efforts between all City departments (more specific responsibilities are listed on the position job description). This ordinance had its first reading on 6/2/03.

Recommendation: Approval.

Attachments: Ordinance.

## Position Job Description

### Contact Person

Name: Wallace Possich  
Title: Fire Chief  
Department: Fire  
Phone: (502) 875-8511  
E-Mail: wpossich@fewpb.com

### 3.5 An Ordinance Rezoning Property Located at Lot 4 of West Ridge Subdivision from "AG" and "CH" to "CH".

Purpose: Mr. Charlie Jones, attorney for Frankfort Depot, is requesting approval of a Zone Map Amendment (Rezoning) for Lot 4 of the West Ridge Plaza Plat, from AG (Agriculture) and CH (Highway Commercial) to CH (Highway Commercial), for the potential use of a restaurant. The subject site is located at the southeast corner of West Ridge Drive and Vandalay Drive, containing approximately 1.79 acres.

Background: This ordinance had its first reading on 5/19/03.

KRS requires that a public hearing be held by the Planning Commission and that the Planning Commission's recommendation be forwarded to the Local Government (Board of Commissioners) for final approval or denial.

Should the Board of Commissioners desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request made for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the Board. The Board of Commissioners will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact.

On 2/19/03, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed and the item was tabled for a summary of the testimony to be prepared.

On 3/27/03, the Planning Commission adopted the summary of testimony, made findings of fact and voted to recommend approval of the zone change based on the adopted findings of fact (attached). The supported motion was to amend the zoning map as requested by the applicant.

The minutes (findings of fact) were accepted on 4/24/03 by the Frankfort/Franklin County Planning Commission.

Impact: An approval to support the Frankfort/Franklin County Planning Commission's recommendation for a zone map amendment would result in Lot 4 of the West Ridge Subdivision being rezoned from AG (Agriculture) and CH (Commercial Highway) to become CH (Commercial Highway).

Recommendation: Approval.

Attachments: Ordinance.  
Minutes, Frankfort/Franklin County Planning Commission, dated 3/27/03.  
Report and Recommendation dated 2/11/03.

### Contact Person

Name: Gary Muller

Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

3.6 An Ordinance Amending Frankfort Municipal Code Chapter 15 Buildings and Construction, Section 15.04.030 Fees for Permits and Section 15.16.150 Inspection Fees.

Purpose: The purpose of this ordinance is to amend the fee schedule within Ordinances #4 & #5, 1990 Series. The ordinance also provides for a penalty for beginning construction without the issuance of a building permit.

Background: The last update to the City's fee schedule relating to permits was in 1990. Planning & Building Codes Staff believes that it is appropriate and necessary to increase the permit fees to better reflect the cost to the City and to provide a penalty section which would require an applicant to pay three times the regular fee when they begin construction without first obtaining a building permit.

The proposed fee schedule was drafted in June 19, 2002; however, the City Manager at that time requested that while the amendment was justified, it should be postponed till next year.

The proposed fees are less or equal to those currently adopted by Franklin County. A comparison table has been provided.

Impact: An approval to support the proposed fee schedule amendment will better match the actual cost to the City for providing these services and should assist in the effort to reduce the number of structures built without a permit.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

3.7 An Ordinance Rezoning Property Located at 1401 Louisville Road, being Tract C of the Mattie Sue True Estate Plat, from RL (Low Density Multi Family) to CL (Limited Commercial).

Purpose: Mr. Robert Kellerman, attorney for Gemini Enterprises, is requesting approval of a Zone Map Amendment (Rezoning) for Tract C (1401 Louisville Rd) and Tract D of the Mattie Sue True Estate Subdivision Plat, from RL (Low Density Multi Family) and RD (Two Dwelling District) to CL (Limited Commercial), for the potential use of a professional office and low intensity retail. The total subject property within the rezoning request contains approximately 1.13 acres.

Background: KRS requires that a public hearing be held by the Planning Commission and that the Planning Commission's recommendation be forwarded to the Local Government (Board of Commissioners) for final approval or denial.

Should the Board of Commissioners desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request for a verbatim transcript of the

Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact.

On 4/24/03, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed and the item was tabled for a summary of the testimony to be prepared.

On 5/22/03, the Planning Commission adopted the summary of testimony, made findings of fact and voted to recommend approval of the zone change for Tract C (1401 Louisville Rd) based on the adopted findings of fact and a recommendation of denial for the zone change for Tract D (attached).

The minutes (findings of fact) will be presented to the Frankfort/Franklin County Planning Commission on 6/26/03 for approval, after which they will be forwarded to the Board of Commissioners.

Impact: An approval to support the Frankfort/Franklin County Planning Commission's recommendation for a zone map amendment would result in Tract C (1401 Louisville Rd) of the Mattie Sue True Estate Subdivision Plat, from RL (Low Density Multi Family) to CL (Limited Commercial).

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

3.8 An Ordinance Amending Ordinance No. 19, 2001 Series, Rezoning 39.06 Acres of Property Located at the Intersection of Holmes Street and the Thornhill Bypass from "IG" & "IC" to "PC".

Purpose: The previously approved zone map amendment (November 2001) contained a scrivener's error in the legal description attached to the approved ordinance. This corrected ordinance removes that error.

Background: On 10/21/01 the Board of Commissioners gave first reading of the referenced zone map amendment. The second reading was approved on 11/08/01.

In August of 2002, the Planning Director was asked by the City Manager to review the zone map amendment file and ordinance. It was found that the one of the legal descriptions attached to the approved ordinance contained an obvious scrivener's error, which resulted in the property not property closing. The map and survey attached to the report and public record contains the correct legal description. After reviewing findings with Mr. Higgs, it was concluded that the scrivener's error should be corrected and that this should be done by the Board of Commissioners.

Attached is a letter dated 5/16/03 from Mr. Crumbaugh with the corrected legal description; the letter from the City to Mr. Crumbaugh's attorney, Charlie Jones, dated 8/30/02; the currently adopted Ordinance #19, 2001 Series; adopted findings of fact; and the associated staff reports.

Impact: There is no negative impact by this corrected ordinance. Again it merely corrects the legal description attached to the adopted ordinance, which now correctly matches the survey of the property.

Recommendation: Approval.

Attachments: Ordinance.

Contact Person

Name: Gary Muller  
Title: Director  
Department: Planning and Building Codes  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

#### **4. ORDERS**

None.

#### **5. RESOLUTIONS**

##### **5.1 Resolution Creating a Holmes Street Task Force.**

Purpose: The purpose of this item is to consider a resolution creating the Holmes Street Task Force. The special task force will be charged with making recommendations concerning the overall redevelopment of the subject area.

Background: This task force is the result of Planning Session held on March 28 & 29, 2003 by the Board of Commissioners.

The task force will need to discuss traffic flow; drainage, increasing housing and non-residential opportunities; and improving the overall esthetics of the area. From these discussions, a consultant should be requested to assist in formulating recommendations for a strategic redevelopment and implementation plan for the area.

The task force will be required to provide updates to the City Manager and the initial time frame for the task force is not less than six months and not more than 12 months, unless otherwise approved by the Board of Commissioners.

The task force should be comprised of nine (9) voting members:

- 2 residential home owners from the north end of Holmes Street;
- 2 residential home owners from the south end of Holmes Street;
- 1 residential rental property owner in the area;
- 3 commercial or industrial property owners in the area;
- 1 representative from Frankfort School System.

These 9 voting members shall be appointed by the Board of Commissioners.

The task force shall also have 7 ex-officio non-voting members who shall act in an advisory role.

Recommendation: Approval.

Attachments: Resolution.

Contact Person

Name: Gary Muller

Title: Acting City Manager  
Department: City Manager  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

## 6. CONSENT CALENDAR

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Commission member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

### 6.1 Bid Award - Yard Waste Grinding Services (Public Works Department).

Purpose: The purpose of this item is to consider a bid award to A-1 Procurement & Services Co. for a two year yard waste grinding contract.

Background: On 2/3/03, the Board of Commissioners authorized staff to advertise for yard waste grinding services. On 5/29/03, the City received one bid from A-1 Procurement & Services Co. for a two-year period. The new bid price of \$3,500/month is the same as last year's bid price.

The yard waste collected by City crews includes leaves, tree limbs, and grass clippings. Currently, City crews collect yard waste and storm debris and haul it to A-1's lot located approximately one mile outside the City limits. The City hauls a portion of the ground material to the Kentucky State Research Farm where it is converted to mulch and offered to the public. The program has diverted approximately 2,900 tons of yard waste from the landfill over the last 12 months which resulted in a landfill savings of approximately \$60,900/year (2,900 tons \*\$21/ton).

Financial Analysis: Funds are available in the Sanitation Account (110-65-53295) for these services.

Recommendation: Approval.

Attachments: None.

#### Contact Person

Name: Jeff Hackbart  
Title: Director  
Department: Public Works  
Phone: (502) 875-8563  
E-mail: [jhackbrt@fewpb.com](mailto:jhackbrt@fewpb.com)

### 6.2 Authorization for Filing of an Application for Homeland Security Overtime Program Grant (Police Department).

Purpose: The purpose of this item is to consider the filing of a grant application for participation in the Homeland Security Overtime Program and for the Mayor to execute all grant documents pertaining to the application. This will enable the department to obtain federal funds for homeland security overtime.

Background: The U.S. Justice Department through the COPS office is making up to \$50,000 available to pay for police officers overtime associated with homeland security.

Recommendation: Approval.

Attachments: Homeland Security Overtime Program Grant Application.

Contact Person

Name: Ted W. Evans  
Title: Chief of Police  
Department: Police  
Phone: (502) 875-8523  
E-Mail: [tevans@fewpb.com](mailto:tevans@fewpb.com)

6.3 Sewer Extension Contract with Walter Malmer and R. C. Lyon, III for Willowcrest Addition Project (Sewer Department).

Purpose: The purpose of this item is to consider a sewer extension contract with Walter Malmer and R.C. Lyon, III, owners of Willowcrest Addition Project on Bamboo Drive and Willowcrest Drive in Franklin County, Kentucky which is a residential development of 23 lots with improvements including 11 new manholes and 1,765 feet of 8-inch SDR35 pipe.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Project owners have signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval.

Attachments: Sewer Extension Contract.

Contact Person

Name: William R. Scalf, Jr., P.E.  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

6.4 Authorization to Enter into Agreement with Blue Grass Community Action Agency for Providing Public Transportation Services (Public Works Department).

Purpose: The purpose of this item is to consider an agreement with Blue Grass Community Action Agency for providing public transportation services.

Background: The Commonwealth of Kentucky has been divided into eight regions for the purpose of providing public transportation for recipients of Medicaid, Transitional Assistance, Department for the Blind, and Department for Vocational Rehabilitation. In order to continue to receive Transit Grants, the City must participate in the State program to provide public transit to these groups.

The transportation services are arranged for and managed by a Broker in each region. The Broker, in turn, subcontracts the transportation with available public transportation providers. Blue Grass Community Action Agency (BGCAA) is the Broker for Region 8, which includes the



City of Frankfort, and would like to subcontract the transportation requests within the City to Frankfort Transit. The City would receive from BGCAA fares that are approved by the Office of Transportation Delivery.

Recommendation: Approval.

Attachments: None.

Contact Person

Name:	Jeff Hackbart	Kay Brooks
Title:	Director	Transit Supervisor
Department:	Public Works	Public Works
Phone:	(502) 875-8565	(502) 875-8565
E-mail:	<a href="mailto:jhackbrt@fewpb.com">jhackbrt@fewpb.com</a>	Kbrooks@fewpb.com

6.5 Authorization for Installation of Street Lights – Imperial Mobile Home Park (Public Works Department).

Purpose: The purpose of this item is to consider a request from the property owner to install street lights along the City maintained streets within Imperial Mobile Home Park.

Background: The Board of Commissioners agreed to accept the maintenance of the publicly dedicated streets in the Imperial Mobile Home Park on 1/9/03. The property owner, Diane Webb, informed the City on 4/4/03 that she was paying for the electric for the private security lights that are adjacent to the streets and would no longer pay for this service. The existing lights in the neighborhood are metered through private meters thus, the lights cannot be owned and maintained by the City.

On 5/19/03, Ms. Webb requested that the City provide street light service for all public streets in Imperial Mobile Home Park. The City has approved similar requests from neighborhoods such as Silver Lake in the past. The Frankfort Plant Board has completed a street lighting plan and cost estimate to serve this area. The Plant Board would install 21 streetlights and charge the City for the future maintenance of the system. The existing security lights would be the responsibility of the property owner to maintain or dismantle.

Financial Analysis: The estimated contract price for the installation of the street lighting project is \$6,990.00. Funds are available in the current Street Lighting Account (100-62-53280) for this project.

Recommendations: Approval.

Attachments: Diane Webb's letter dated 5/19/03.  
Plant Board Work Order 9013A

Contact Person

Name:	Jeff Hackbart	Jim Carter
Title:	Director	Project Engineer
Department:	Public Works	Frankfort Plant Board
Phone:	(502)875-8563	(502) 352-4401
E-Mail:	<a href="mailto:jhackbrt@fewpb.com">jhackbrt@fewpb.com</a>	

6.6 Authorization to Declare Mowing Equipment as Surplus for Disposal through Trade In (Golf Course).

Purpose: The purpose of this item is to consider declaring one Land Pride Rough Mower, one Jacobson Tri-plex Mower, and one 60" X Mark Mower as surplus and authorize disposal through trade in toward purchase price of new mowers.

Background: The Golf Course is in need of two additional mowers to be purchased through State Price Contract #SCH-C-000-54-047 with Xenia Power Equipment for one Lastec 3682 Articulate Mower at the cost of \$21,744.45 with the municipal discount, less trade-in value of \$4,800.00 for the Land Pride and Jacobson mowers, resulting in a final purchase price of \$16,944.45; and through State Price Contract #C-02329501-1 with Masters Equipment Company for one 60" Turf Ranger Mower at the cost of \$5,934.00, less trade-in value of \$1,000.00 for the 60" X Mark mower, resulting in a final purchase price of \$4,934.00.

Financial Analysis: Funding is allocated in equipment account 100.79.56550.

Recommendation: Approval.

Attachments: None.

Contact Person

Name: Gene Hilten  
Title: Golf Pro  
Department: Golf  
Phone: (502) 875-8559

6.7 Personnel.

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Appointment	Brandon McClain	Communications	7/01/03	Telecommunicator
Appointment	Debbie Gipson	Public Works	6/17/03	Bus Driver (from Part Time to Full time)
Appointment*	Thomas Van Natta, Jr.	Police	7/01/03	Patrol Officer

\*Contingent upon satisfactory completion of psychological, polygraph and drug screen examinations.

Attachments: None.

Contact Person

Name: Gary Muller  
Title: Acting City Manager  
Department: City Manager  
Phone: (502) 875-8513  
E-mail: [Gmuller@fewpb.com](mailto:Gmuller@fewpb.com)

**7. BOARD APPOINTMENTS**

**8. OLD BUSINESS**

None.

**9. NEW BUSINESS**

9.1 Authorization to Award Contract for Space Utilization Study and Preliminary Design of Maintenance Building (Sewer Department).

Purpose: The purpose of this item is to consider awarding a contract to GBBN Architects, Inc. to perform a space utilization study and preliminary design of a new maintenance building.

Background: On 4/8/03, the Sewer Department received Statements of Qualifications from five firms in response to the solicitation for an architectural firm to perform a space utilization study and preliminary design of a new maintenance building at the sewage treatment plant. On 5/22/03, the Sewer Department interviewed three firms that had been short-listed from the Statements of Qualifications received. GBBN Architects was selected based upon the qualifications of the firm and personnel; point summary from the interviews is attached.

Financial Analysis: Cost for the study is at a not-to-exceed fee of \$50,000 with funding for the study in current budget, Sewer Account 300.68.56550.

Recommendation: Approval.

Attachments: Point Summary.  
Standard Form of Agreement.

Contact Person

Name: William R. Scalf, Jr., PE  
Title: Director  
Department: Sewer  
Phone: (502) 875-2448  
Email: [wscalf@fewpb.com](mailto:wscalf@fewpb.com)

**10. CITIZEN COMMENTS (Non-agenda items)**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**